

REMARKS

Claim 17, as amended, relates to a method of making an electrochemical cell. The cell includes a housing and, within the housing, (1) a conductive layer of a carbonaceous material in contact with the interior surface of the housing, (2) a cathode in contact with the conductive layer; (3) an anode inside the cathode; (4) a separator between, and in contact with, the cathode and the anode; (5) an alkaline electrolyte; and (6) a centrally located current collector in contact with the anode. The cathode contains manganese dioxide and 10% more or less by weight graphite particles having an average particle size of less than 20 microns that were prepared without using an industrial or laboratory graphitization process and without any industrial or laboratory expansion. The anode containing zinc particles and a gassing inhibitor. The layer of carbonaceous material is discussed at page 5, line 24-page 6, line 2 of the application. The current collector is mentioned at page 3, line 31-page 4, line 4.

Claims 17-23, 25, and 26 were rejected under 35 U.S.C. § 102(b) as anticipated by Kordes et al., U.S. Pat. 3,945,847 ("Kordes"). Claims 18-23, 25, and 26 depend from claim 17. Applicants respectfully request that the rejection be reconsidered and withdrawn.

The Examiner contends that the "Dixon Air-Spun Graphite, Type 200-09" disclosed by Kordes is the type of graphite particles required by claim 17. Applicants do not necessarily agree but have chosen to amend claim 17 to make the issue moot. As discussed above, claim 17 requires a layer of carbonaceous material in contact with the inner surface of the housing, and a centrally located current collector. The electrochemical cells described by Kordes are significantly different from the electrochemical cell made in claim 17. For example, the electrochemical cells described by Kordes do not include the layer of carbonaceous material or the centrally located current collector required by claim 17. As a result, Kordes does not anticipate claim 17, or dependent claims 18-23, 25, and 26.

Claim 24 was rejected under 35 U.S.C. § 103(a) over Kordes in view of Newman et al., U.S. Pat. 5,283,139 ("Newman"). Applicants also respectfully request that this rejection be reconsidered and withdrawn.

Claim 24 also depends from claim 17. Applicants submit that Newman does not disclose or suggest using the layer of carbonaceous material and does not cure this deficiency in

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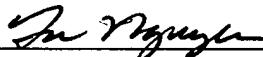
Kordesch even if properly combined with Kordesch. Moreover, the electrochemical cells described by Kordesch are not designed for use with the centrally located current collector taught by Newman.

The Examiner did not provide an initialed copy of the Form 1449 filed with the Information Disclosure Statement on March 11, 2003. Applicants are resubmitting the Form 1449; one additional reference (AL) has been included in a Supplemental Information Disclosure Statement. Applicants request initialed copies of the Form 1449 to provide a record that the Examiner has considered the cited references.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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